IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 3RD JANUARY 2007 / 13TH POUSHA, 1928

WP(C).No. 288 of 2007(H)

PETITIONER:

M/S. S.R.S. INDUSTRIES,
XII/434, G.K.MADHOM, THENUR, PARALI,
PALAKKAD, REPRESENTED BY ITS PARTNER,
SRI. SANJAY PEDDAR.

BY ADV. SRI.N.MURALEEDHARAN NAIR

RESPONDENTS:

1. ASSISTANT COMMISSIONER (ASSESSMENT),
SPECIAL CIRCLE, PALAKKAD.

2. DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, ERNAKULAM.

3. DEPUTY TAHSILDAR (R.R.),
PALAKKAD.

BY GOVT.PLEADER SRI SOJAN JAMES

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN, J.

W.P.(C).NO.288 OF 2007

Dated this the 3rd day of January, 2007

JUDGMENT

As against Ext.P1 order of assessment for the year 2005-06 the petitioner preferred Ext.P2 appeal along with the stay application, Ext.P3 before the Appellatle Authority, the 2nd respondent herein. The same is still pending consideration. In the meantime, Ext.P4 notice of demand was issued demanding the amount as per Ext.P1 order of assessment impugned in the appeal.

2. Heard the learned Government Pleader also.

3. In the facts and circumstances, there will be a direction that in case the petitioner pays an amount of Rs.2.5 lakhs and furnishes a bond by way of security for the balance amount

within one month, the recovery of the balance amount as per Ext.P1 will stand stayed, until the disposal of Ext.P2 appeal by the 2nd respondent. In case the petitioner fails to pay the said amount and to furnish a bond within the stipulated time, the order of stay granted by this Court will stand automatically cancelled.

Writ petition is disposed of as above.

P.R.RAMAN,
JUDGE.

kcv.